IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 19TH DECEMBER 2006 / 28TH AGRAHAYANA 1928

BAIL APPL..NO. 7469 OF 2006()

CRIME NO.760/06 OF MANNARKKAD POLICE STATION

: PETITIONERS/ACCUSED

SREEJITH, S/O.APPUNNI,
AGED 24 YEARS, NAMBULLI PURAKKAL HOUSE,
KUMBARAMKUNNU, KANJIRAPPUZHA, PALAKKAD DISTRICT.

BY ADV. SRI.K.M.SATHYANATHA MENON

RESPONDENTS: DEFACTO COMPLAINANT AND STATE

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1. THE SUB INSPECTOR OF POLICE,
MANNARKAD POLICE STATION, PALAKKAD DISTRICT.

2. THE STATE OF KERALA REPRESENTED
BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
HIGH COURT BUILDINGS, HIGH COURT ROAD,
ERNAKULAM, COCHIN-682 031.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

B.A.No. 7469 OF 2006

DATED THIS THE 19TH DAY OF DECEMBER, 2006

O R D E R

Petitioner who is the accused in Crime No.760/06 of Mannarkkad Police Station for an offence punishable under section 55 (a) of the Abkari Act for allegedly having been found in possession of 7.50 liters of IMFL in 13 bottles on 11.10.2006, seeks anticipatory bail.

2. Learned Public Prosecutor opposed the application.

3. I am not satisfied that both the grounds enumerated under section 41A(b)(ii) of the Abkari Act are present in this case so as to justify the grant of anticipatory bail to the petitioner. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail within 10 days from today, the same shall be considered and disposed of, preferably on the same date on which it is filed.

With this direction, this petition is disposed of.

V.RAMKUMAR, JUDGE

dsn